

## **RECOMMENDING COMMITTEE AGENDA** **RECOMMENDING COMMITTEE MEETING OF: DECEMBER 2, 2002**

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

### **MINUTES:**

PRESENT: COUNCILMEN WEEKLY and MACK

Also Present: CITY MANAGER DOUG SELBY, CITY ATTORNEY BRAD JERBIC, CHIEF DEPUTY CITY ATTORNEY VAL STEED, CITY CLERK BARBARA JO (RONI) RONEMUS, and DEPUTY CITY CLERK ANGELA CROLLI

ANNOUNCEMENT MADE – meeting noticed and posted at the following locations:  
Las Vegas Library, 833 Las Vegas Boulevard North  
Senior Citizens Center, 450 E. Bonanza Road  
Clark County Government Center, 500 S. Grand Central Pkwy  
Court Clerk's Bulletin Board, City Hall  
City Hall Plaza, Posting Board

(4:02)

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**AGENDA SUMMARY PAGE**

**RECOMMENDING COMMITTEE MEETING OF: DECEMBER 2, 2002**

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**NEW BILLS:**

**Bill No. 2002-134** – Annexation No. A-0042-02(A) – Property location: On the southwest corner of Shadow Mountain Place and Lake Mead Boulevard; Petitioned by: Nevada Homes Group; Acreage: 1.18 acres; Zoned: R-E (County zoning), U (R) (City equivalent). Sponsored by: Councilman Lawrence Weekly

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property generally located on the southwest corner of Shadow Mountain Place and Lake Mead Boulevard. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (December 13, 2002) is set by this ordinance.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2002-134 and Location Map

**COMMITTEE RECOMMENDATION:**

**COUNCILMAN MACK recommended Bill 2002-134 be forwarded to the Full Council with a “Do Pass” recommendation. COUNCILMAN WEEKLY concurred.**

**MINUTES:**

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY VAL STEED explained that the item was in order.

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:03)

**AGENDA SUMMARY PAGE****RECOMMENDING COMMITTEE MEETING OF: DECEMBER 2, 2002**

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**DEPARTMENT: CITY ATTORNEY****DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☐**DISCUSSION****SUBJECT:**

NEW BILLS:

**Bill No. 2002-135** – Increases the compensation of, and provides a vehicle allowance for, the Mayor and City Council (\$110,774 - General Fund). Proposed by: Doug Selby, City Manager

**Fiscal Impact**☐**No Impact****Amount:** \$110,774☐**Budget Funds Available****Dept./Division:** City Council☒**Augmentation Required****Funding Source:** General Fund**PURPOSE/BACKGROUND:**

This bill will increase the compensation of the Mayor and City Council and provide them a vehicle allowance, to become effective following the election pertaining to each seat. The increase reflects the recommendations of a Council Review Committee study in 1998. The salary for Council members representing Wards 1 through 6 will be 90% of the salary approved by the Legislature for Clark County Commissioners. The Mayor's salary will be set at 130% of the salary of the other Council members. The vehicle allowance is comparable to those for other local officials.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

1. Agenda Memo
2. Bill No. 2002-135
3. Submitted at meeting: Letter of opposition from Knight Allen

**COMMITTEE RECOMMENDATION:**

**COUNCILMAN MACK recommended Bill 2002-135 be forwarded to the Full Council with no recommendation. COUNCILMAN WEEKLY concurred.**

**MINUTES:**

COUNCILMAN WEEKLY declared the Public Hearing open.

CITY MANAGER SELBY stated that one of the most difficult decisions made by any elected body is to establish appropriate compensation for itself. As the City Manager, he can only

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City Attorney

Item 2 – Bill No. 2002-135

**MINUTES – Continued:**

analyze, recommend and advocate a particular type or scope of compensation. The bill as he has proposed it will adjust the base salary for the Mayor and Council for the first time in 16 years. It would also add a vehicle allowance similar to what exists in neighboring cities. CITY MANAGER SELBY outlined the historical salaries of the Mayor and Council in 1959, 1963, 1977 and finally pursuant to a citizens committee in 1986. In 1986, the Council also implemented an annual cost of living adjustment based on the Consumer Price Index. Had such an adjustment been in place in 1977, the salary of the Council in 1986 would have been \$45,500 for the Mayor rather than \$33,500 and \$27,100 rather than \$25,500. The 1986 Council action did not even maintain the buying-power of the time.

Since 1986, the annual adjustments of the Mayor and Council salaries have resulted in today's levels of \$53,422 for the Mayor and \$40,664 per Council member. The basis of the recommendation being presented is the 1998 recommendations of a citizen review committee. That committee included RON PATERO, RUSS DORN, BOB FORBUS, LEONARD GOODALL, KATHY ONG, FERNANDO ROMERO, and KENNY YOUNG. The committee compared compensation of elected bodies in Southern Nevada and other jurisdictions. There is a significant variation from city to city. An International City Manager Association survey suggested salaries are more related to size and population than to work load. However, work load and growth were felt to be appropriate considerations as well. The committee also found the demands of the elected service did not allow for a normal outside job. In 1998, the Council reported to the survey committee that they averaged 50.9 hours each on City-related work. Undoubtedly that average has increased.

The committee recommended that salaries be adjusted to 90% of that of the County Commissioners and the Mayor's salary be adjusted to 130% of a Council person's salary. This compensation would recognize the larger constituency and scope of the County seat. CITY MANAGER SELBY recommended the bill being presented which would approve the recommendations of that committee. Any changes would not, by City Charter, affect any Council person until after the next election cycle. The increase would result in Council salaries from \$40,664 to \$48,600 per year and the Mayor from \$53,422 to \$63,180. Any future adjustments to the County Commissioner salaries by the Legislature would automatically adjust the City Council salaries.

This bill also provides for a monthly vehicle allowance of \$600 per month for each Council member and \$900 per month for the Mayor. This is identical to the allowance provided for the Henderson City Council and comparable to those of North Las Vegas and Reno. The allowance provides a reasonable method of compensation for the demands of the job and is widely

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**MINUTES – Continued:**

recognized for City Councils and executives in local government. The allowance would be eliminated whenever a City vehicle were assigned to an elected official.

CITY MANAGER SELBY referenced the tables contained in the backup comparing compensation of elected official for other jurisdictions and increases in compensation and work loads over time. Based on this information, the City of Las Vegas has kept pace with inflation but not with the increased work load.

KNIGHT ALLEN, 6524 Bourbon Way, recommended that the Council's rate increases be tied to increases received by the average working person of the community over the same period of time outlined in the referenced tables. That type of adjustment is reasonable and acceptable to the people. Using comparables with other jurisdictions operates in a vacuum. He reminded the Council that 50,000 Culinary Union workers just signed a contract with no pay raise for five-years. There are whole industries that are dying. Two Blue Ribbon Panels have passed on this type of recommendation. Major media outlets accept the concept.

TOM McGOWAN, resident of Las Vegas, expressed hope and trust that there will be an independent audit of those subject to the pay raise consideration. Receipts are received whenever someone buys something. This type of tangible increase should include an audit. So long as one person is unemployed or homeless in this City, any pay raise is publicly repugnant and unacceptable. The reality is that tying the City salaries to the County is wrong since the two are not interchangeable. Further, he questioned how creating this type of automatic adjustment also created an automatic increase in efficiency or effectiveness of local government. There is no increased benefit as a return of the salary increase. Placing the question before the public as a ballot question might be more acceptable. He recommended the Council live by the words of retired FIRE CHIEF CLELL WEST regarding a fair day's pay for a fair day's work. The Council may be hardworking people, but they can do a lot more with a lot less. The key elements are service and integrity, both of which are priceless.

KENNY YOUNG clarified that this was one of many issues addressed by the committee on which he served. The more important issue was increasing the number of Council seats. The issue that resulted in the most debate was this one dealing with compensation. His personal perspective was that that working committee group felt this increase was necessary in light of comparison of work loads, time commitments and the type of people desired to serve as elected officials necessitated a pay adequate to sustain a working wage. The other issue looked at was how to allow more people involved and running for office. The public service component was

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**MINUTES – Continued:**

examined along with the full-time versus part-time aspect. The comparison to the County was a starting point. MR. YOUNG strongly recommended that the Council adopt this as the fruits of the committee's recommendations.

COUNCILMAN MACK thanked the speakers for their perspectives. He stated that the increase proposed would have no impact on his lifestyle. It has been a lot to endure from a media impact. He would like a closer look at either a car allowance or a City vehicle. As a result of his public service he has already put nearly 15,000 miles on the personal vehicle he purchased in late May 2002. The IRS mileage compensation is very difficult to calculate and probably not worth the effort. Given the impact of this item, he would recommend forwarding the item to the Full Council for discussion with no recommendation. It also takes a lot of courage for elected officials who are facing reelection to take on this type of issue.

COUNCILMAN WEEKLY agreed that the implications should be addressed by the full Council. It is critical to understand that no one will receive the increase until and unless they are reelected.

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:03 – 4:30)

**AGENDA SUMMARY PAGE**

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**NEW BILLS:**

**Bill No. 2002-136** – Repeals the Municipal Code chapter relating to ethics, and readopts certain provisions regarding lobbying and certain provisions regarding political activities of City employees. Sponsored by: Mayor Oscar B. Goodman

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

This bill will implement the recent direction given by the City Council to repeal the provisions of the City's ethics chapter that are duplicated or otherwise addressed by State law. The bill will retain provisions relating to lobbying and provisions regarding political activities of City employees, with some minor adjustments.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2002-136

**COMMITTEE RECOMMENDATION:**

**COUNCILMAN MACK recommended Bill 2002-135 be forwarded to the Full Council with no recommendation. COUNCILMAN WEEKLY concurred.**

**MINUTES:**

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY VAL STEED advised that the item was in order.

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City Attorney

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**MINUTES – Continued:**

CHIEF DEPUTY CITY ATTORNEY VAL STEED stated that there had been a consensus of the Council that portions of the City Ethics Code duplicates or is adequately covered by State law. These portions include the conflict of interest, financial disclosure and review of complaints by the Board. This bill is being presented in an attempt to reflect that discussion by eliminating the conflict of interest portion, the financial disclosure and the Ethics Board itself. It retains in essentially the same form two aspects of the chapter. One aspect has to do with lobbying and readopts what currently exists in the code. This aspect reduces the “cooling” period for lobbyists from two years to one year following City service. The other aspect involves political activity of City employees. This portion of the Code remains mostly unchanged other than a clarification that the provisions only apply to paid employees of the City of Las Vegas.

TOM McGOWAN, resident of Las Vegas, discussed the substantial reduction in the cooling period for lobbyists. He questioned the effect of a public employee actively campaigning for an individual. COUNCILMAN WEEKLY responded that the matter should be reported to the City Manager’s office. CITY MANAGER SELBY hypothetically replied that depending on the infraction appropriate disciplinary action would be taken. CHIEF DEPUTY CITY ATTORNEY STEED confirmed that prosecution could potentially take place, but no part of the City Code requires prosecution. MR. McGOWAN protested the lack of guaranteed consequences. CITY ATTORNEY JERBIC noted that the situation exists for all laws. A citation is not guaranteed when pulled over by a police officer. Further, the original Ethics Code as adopted provided that a violation might be a misdemeanor, not that every violation would result in a misdemeanor charge. It must also be recognized that the conduct of many City employees is subject to NRS 288, the collective bargaining unit provisions. Any accusation of violating a City rule is subject to the rights of NRS 288. The action taken would determine which would take precedence, NRS or the City rule. MR. McGOWAN commented that, given these answers, this is only a step in a necessary process.

COUNCILMAN MACK stated that this is another matter which should be addressed by the Full Council.

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:30 – 4:35)

**1-795**





**RECOMMENDING COMMITTEE AGENDA**  
**RECOMMENDING COMMITTEE MEETING OF: DECEMBER 2, 2002**

CITIZENS PARTICIPATION: ITEMS RAISED UNDER THIS PORTION OF THE AGENDA CANNOT BE DELIBERATED OR ACTED UPON UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN MET. IF YOU WISH TO SPEAK ON A MATTER NOT LISTED ON THE AGENDA, PLEASE CLEARLY STATE YOUR NAME AND ADDRESS. IN CONSIDERATION OF OTHERS, AVOID REPETITION, AND LIMIT YOUR COMMENTS TO NO MORE THAN THREE (3) MINUTES. TO ENSURE ALL PERSONS EQUAL OPPORTUNITY TO SPEAK, EACH SUBJECT MATTER WILL BE LIMITED TO TEN (10) MINUTES.

**MINUTES:**

None.

(4:35)

**1-1043**

**THE MEETING ADJOURNED AT 4:35 P.M.**

Respectfully submitted: \_\_\_\_\_

ANGELA CROLLI, DEPUTY CITY CLERK II  
December 3, 2002